

# **EXHIBIT A**

**BUTZEL LONG**  
ATTORNEYS AND COUNSELORS

Katherine Donohue Goudie  
313 225 7027  
goudie@butzel.com

Suite 100 150 West Jefferson  
Detroit, Michigan 48226  
t: 313 225 7000 f: 313 225 7080  
butzel.com

October 20, 2005

**VIA FACSIMILE and U.S. MAIL**

Keith Bishop, Esq.  
Madison Center, Suite 105  
1802 Martin Luther King, Jr. Parkway  
Durham, North Carolina 27707

John Edward Gilchrist  
3325 Chapel Hill Blvd., Suite 145  
Durham, NC 27707

Thomas J. Murray, Esq.  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304-5086

**Re: *PML North America, LLC v. Hartford Underwriters Ins. Co., et al.***  
**E.D. Mich. Case No. 05CV70404**

Dear Counsel:

I have enclosed the Stipulation to Preserve Evidence and the proposed Preservation Order for the above-captioned matter. If it meets with your approval, please sign the Stipulation and fax it back to me at (313) 225-7080. If the Stipulation does not meet with your approval, please contact me so we can discuss any proposed revisions. Moreover, if we do not hear from you by the end of the day tomorrow, October 21, 2005, we will file a motion to have the Preservation Order entered by the Court on Monday, October 24, 2005.

Thank you for your assistance to this matter, and please do not hesitate to call should you have any questions, concerns, or comments.

Very truly yours,

Katherine Donohue Goudie

KDG/rmw  
Enclosures

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PML NORTH AMERICA, LLC,

Plaintiff,

Case No. 05-CV-70404-DT

v.

Hon. Robert H. Cleland

HARTFORD UNDERWRITERS  
INSURANCE COMPANY, ACG  
ENTERPRISES OF NC, INC. and  
RTP INSURANCE OF DURHAM, NC,

Defendants.

---

BUTZEL LONG

James J. Giszczak (P46917)

Michael G. Latiff (P51263)

Katherine Donohue Goudie (P62806)

150 West Jefferson, Suite 100

Detroit, MI 48226-4450

(313) 225-7000

Attorneys for Plaintiff

Keith Bishop, Esq. (N.C. Bar No. 18918)

Madison Center, Suite 105

1802 Martin Luther King, Jr. Parkway

Durham, North Carolina 27707

(919) 490-1855

Attorney for Defendant ACG Enterprises of  
NC, Inc.

---

DYKEMA GOSSETT PLLC

Thomas J. Murray (P56331)

39577 Woodward Avenue, Suite 300

Bloomfield Hills, MI 48304-5086

(248) 203-0806

Attorney for Defendant Hartford  
Underwriters Insurance Company

John Edward Gilchrist, pro se

3325 Chapel Hill Blvd., Suite 145

Durham, NC 27707

(919) 401-6556

Defendant RTP Insurance of Durham, NC

---

**STIPULATION TO PRESERVE EVIDENCE**

Plaintiff PML North America, LLC and Defendants Hartford Underwriters Insurance Company, ACG Enterprises of NC, Inc., and RTP Insurance of Durham, through their undersigned counsel, stipulate and agree to the following:

- (1) Defendants, including any of their present and former agents, employees, representatives, and custodians of record, will not destroy, conceal, or alter any evidence which relates to the claims made in this case, including, but not limited to, hard copies, electronic files, word processing documents, spreadsheets, databases, calendars, telephone logs, contact information, Internet usage files, offline storage or information stored on removable media, information contained on laptops or other portable devices, network access information, phone logs, fax logs, electronic mail, fax cover sheets, and other electronic storage media.
- (2) Defendants will preserve all existing electronic copies of a document even if Defendants also have in their possession or have already produced to Plaintiff a paper copy of the document.
- (3) Defendants will preserve all equipment where electronic data may reside including, but not limited to, office and home computers, office and home fax machines, palm pilots, laptops, and cellular phones.

---

BUTZEL LONG  
Michael G. Latiff (P51263)  
Maureen T. Taylor (P63547)  
Katherine Donohue Goudie (P62806)  
Attorneys for Plaintiff

---

Keith Bishop, Esq. (N.C. Bar No. 18918)  
Attorney for Defendant ACG Enterprises of NC, Inc.

---

DYKEMA GOSSETT PLLC  
Thomas J. Murray (P56331)  
Attorney for Defendant Hartford Underwriters Insurance Company

---

John Edward Gilchrist, pro se  
Defendant RTP Insurance of Durham, NC

Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PML NORTH AMERICA, LLC,

Plaintiff,

Case No. 05-CV-70404-DT

v.

Hon. Robert H. Cleland

HARTFORD UNDERWRITERS  
INSURANCE COMPANY, ACG  
ENTERPRISES OF NC, INC. and  
RTP INSURANCE OF DURHAM, NC,

Defendants.

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(313) 225-7000  
Attorneys for Plaintiff

Keith Bishop, Esq. (N.C. Bar No. 18918)  
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Durham, North Carolina 27707  
(919) 490-1855  
Attorney for Defendant ACG Enterprises of  
NC, Inc.

DYKEMA GOSSETT PLLC

Thomas J. Murray (P56331)  
39577 Woodward Avenue, Suite 300  
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(248) 203-0806  
Attorney for Defendant Hartford  
Underwriters Insurance Company

John Edward Gilchrist, pro se  
3325 Chapel Hill Blvd., Suite 145  
Durham, NC 27707  
(919) 401-6556  
Defendant RTP Insurance of Durham, NC

---

**PRESERVATION ORDER**

At a session of said Court held in the United States District Court, Eastern District of Michigan, in the City of Flint, Michigan on \_\_\_\_\_.

PRESENT: **HONORABLE ROBERT H. CLELAND**  
United States District Court Judge

The Court having reviewed the stipulation of the parties, and the Court being otherwise duly advised in the premises;

IT IS HEREBY ORDERED that Defendants Hartford Underwriters Insurance Company, ACG Enterprises of NC, Inc., and RTP Insurance of Durham, NC, including any of their present and former agents, employees, representatives, and custodians of record, not destroy, conceal, or alter any evidence which relates to the claims made in this case, including, but not limited to, hard copies, electronic files, word processing documents, spreadsheets, databases, calendars, telephone logs, contact information, Internet usage files, offline storage or information stored on removable media, information contained on laptops or other portable devices, network access information, phone logs, fax logs, electronic mail, fax cover sheets, and other electronic storage media.

IT IS FURTHER ORDERED that Defendants preserve all existing electronic copies of a document even if Defendants also have in their possession or have already produced to Plaintiff a paper copy of the document.

IT IS FURTHER ORDERED that Defendants preserve all equipment where electronic data may reside including, but not limited to, office and home computers, office and home fax machines, palm pilots, laptops, and cellular phones.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States District Court Judge

\*\*\* TX STATUS REPORT \*\*\*

AS OF OCT 21 2005 09:26 PAGE.01

BUTZEL LONG

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
32	10/21	09:24	1-919-882-9179	EC-S	01'58"	007	004	OK



Suite 100  
150 West Jefferson  
Detroit, MI 48226-4415  
(313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

Please deliver the following pages to:

Name: James Edward Gilchrist

Firm: RTP Insurance Company

City &amp; State: Durham, NC

Fax Number: 919-882-9179

File Reference: 132989-1

From:

Name: Katherine Donohue Goudie

Date: October 21, 2005 Time: 9:21 AM

 Please Confirm Transmission

Contact Phone No 313-983-6962

Message:

This material is intended only for the individual or entity to which it is addressed. It may contain privileged, confidential information which is exempt from disclosure under applicable laws. If you are not the intended recipient, please note that you are strictly prohibited from disseminating or distributing this material (other than to the intended recipient) or copying this material. If you have received this communication in error, please notify us immediately by telephone and return this material (and all copies) to us by mail at the above address. On request, we will reimburse you for any cost of return. Thank you.

Number of Pages (including this cover page) 7

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Office Services: (313) 983-7414

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AS OF OCT 20 2005 15:56 PAGE.01

BUTZEL LONG

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
24	10/20 15:54	313 967 9323	EC-S	01'42"	007	243	OK



Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

---

## Fax Cover Sheet

---

Please deliver the following pages to:

Name: Mark Haywood, Esq.

Firm: \_\_\_\_\_

City & State: Detroit, MIFax Number: 967-9323File Reference: 000132989-1

From:

Name: Katherine Donohue GoudieDate: October 20, 2005 Time: 3:39 PM Please Confirm TransmissionContact Phone No 983-6962

Message:

This material is intended only for the individual or entity to which it is addressed. It may contain privileged, confidential information which is exempt from disclosure under applicable laws. If you are not the intended recipient, please note that you are strictly prohibited from disseminating or distributing this material (other than to the intended recipient) or copying this material. If you have received this communication in error, please notify us immediately by telephone and return this material (and all copies) to us by mail at the above address. On request, we will reimburse you for any cost of return. Thank you.

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AS OF OCT 20 2005 13:37 PAGE.01

BUTZEL LONG

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
20	10/20 13:35	Dykema Gossett	EC-S	02'17"	007	234	OK



Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

Please deliver the following pages to:

Name: Thomas J. Murray, Esq.

Firm: Dykema Gossett LLC

City &amp; State: Bloomfield Hills, MI

Fax Number: 248-203-0763

File Reference: 132989-1

From:

Name: Katherine Donohue Goudie

Date: October 20, 2005 Time: 1:29 PM

 Please Confirm Transmission

Contact Phone No 313-225-7000

Message:

This material is Intended only for the individual or entity to which it is addressed. It may contain privileged, confidential information which is exempt from disclosure under applicable laws. If you are not the intended recipient, please note that you are strictly prohibited from disseminating or distributing this material (other than to the intended recipient) or copying this material. If you have received this communication in error, please notify us immediately by telephone and return this material (and all copies) to us by mail at the above address. On request, we will reimburse you for any cost of return. Thank you.

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AS OF OCT 20 2005 13:41 PAGE.01

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DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
21	10/20 13:39	919 490 1857	EC-S	01'46"	007	236	OK



Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

Please deliver the following pages to:

Name: Keith Bishop, Esq.

Firm: \_\_\_\_\_

City & State: Durham, NCFax Number: 919-490-1857File Reference: 132989-1

From:

Name: Katherine Donohue GoudieDate: October 20, 2005 Time: 1:30 PM Please Confirm TransmissionContact Phone No 313-983-6962

Message:

This material is intended only for the individual or entity to which it is addressed. It may contain privileged, confidential information which is exempt from disclosure under applicable laws. If you are not the intended recipient, please note that you are strictly prohibited from disseminating or distributing this material (other than to the intended recipient) or copying this material. If you have received this communication in error, please notify us immediately by telephone and return this material (and all copies) to us by mail at the above address. On request, we will reimburse you for any cost of return. Thank you.

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Office Services: (313) 983-7414

**BUTZEL LONG**  
ATTORNEYS AND COUNSELORS

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October 20, 2005

**VIA FACSIMILE and U.S. MAIL**

Keith Bishop, Esq.  
Madison Center, Suite 105  
1802 Martin Luther King, Jr. Parkway  
Durham, North Carolina 27707

Thomas J. Murray, Esq.  
39577 Woodward Avenue, Suite 300  
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John Edward Gilchrist  
3325 Chapel Hill Blvd., Suite 145  
Durham, NC 27707

Mark A. Haywood, Esq.  
Mark A. Haywood & Associates, PLC  
1274 Library St Ste 303  
Detroit, MI 48226

**Re: PML North America, LLC v. Hartford Underwriters Ins. Co., et al.**  
**E.D. Mich. Case No. 05CV70404**

Dear Counsel:

Per my conversation with Mr. Bishop, please find attached a revised Stipulation and proposed Preservation Order which adds the Plaintiff and an additional paragraph at the end. Please sign this version and fax back to me if it meets with your approval. Thank you for your assistance to this matter, and please do not hesitate to call should you have any questions, concerns, or comments.

Very truly yours,

Katherine Donohue Goudie

KDG/rmw  
Enclosures

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PML NORTH AMERICA, LLC,

Plaintiff,

v.

HARTFORD UNDERWRITERS  
INSURANCE COMPANY, ACG  
ENTERPRISES OF NC, INC. and  
RTP INSURANCE OF DURHAM, NC,

Defendants.

Case No. 05-CV-70404-DT

Hon. Robert H. Cleland

---

BUTZEL LONG  
James J. Giszczak (P46917)  
Michael G. Latiff (P51263)  
Katherine Donohue Goudie (P62806)  
150 West Jefferson, Suite 100  
Detroit, MI 48226-4450  
(313) 225-7000  
Attorneys for Plaintiff

Keith Bishop, Esq. (N.C. Bar No. 18918)  
Madison Center, Suite 105  
1802 Martin Luther king, Jr. Parkway  
Durham, North Carolina 27707  
(919) 490-1855  
Attorney for Defendant ACG Enterprises of  
NC, Inc.

Mark A. Haywood, Esq. (P49366)  
1274 Library St., Suite 303  
Detroit, MI 48226  
(313) 967-9322  
Co-counsel for Defendant ACG Enterprises  
of NC, Inc.

---

DYKEMA GOSSETT PLLC  
Thomas J. Murray (P56331)  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304-5086  
(248) 203-0806  
Attorney for Defendant Hartford  
Underwriters Insurance Company

John Edward Gilchrist, pro se  
3325 Chapel Hill Blvd., Suite 145  
Durham, NC 27707  
(919) 401-6556  
Defendant RTP Insurance of Durham, NC

**STIPULATION TO PRESERVE EVIDENCE**

Plaintiff PML North America, LLC and Defendants Hartford Underwriters Insurance Company, ACG Enterprises of NC, Inc., and RTP Insurance of Durham (collectively referred to as "Defendants"), through their undersigned counsel, stipulate and agree to the following:

- (1) Plaintiff and Defendants, including any of their present and former agents, employees, representatives, and custodians of record, will not destroy, conceal, or alter any evidence which relates to the claims made in this case, including, but not limited to, hard copies, electronic files, word processing documents, spreadsheets, databases, calendars, telephone logs, contact information, Internet usage files, offline storage or information stored on removable media, information contained on laptops or other portable devices, network access information, phone logs, fax logs, electronic mail, fax cover sheets, and other electronic storage media.
- (2) Plaintiff and Defendants will preserve all existing electronic copies of a document even if Plaintiff and Defendants also have in their possession or have already produced a paper copy of the document.
- (3) Plaintiff and Defendants will preserve all equipment where electronic data may reside including, but not limited to, office and home computers, office and home fax machines, palm pilots, laptops, and cellular phones.
- (4) By stipulating to the entry of the Preservation Order, Plaintiff and Defendants do not waive their right to assert the attorney work product and attorney-client privileges, and any other applicable privilege under the law.

---

BUTZEL LONG  
Michael G. Latiff (P51263)  
Maureen T. Taylor (P63547)  
Katherine Donohue Goudie (P62806)  
Attorneys for Plaintiff

Keith Bishop, Esq. (N.C. Bar No. 18918)  
Attorney for Defendant ACG Enterprises of  
NC, Inc.

and

Mark A. Haywood, Esq. (P49366)  
Co-Counsel for Defendant ACG Enterprises  
of NC, Inc.

---

DYKEMA GOSSETT PLLC  
Thomas J. Murray (P56331)  
Attorney for Defendant Hartford  
Underwriters Insurance Company

---

John Edward Gilchrist, pro se  
Defendant RTP Insurance of Durham, NC

Dated: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PML NORTH AMERICA, LLC,

Plaintiff,

Case No. 05-CV-70404-DT

v.

Hon. Robert H. Cleland

HARTFORD UNDERWRITERS  
INSURANCE COMPANY, ACG  
ENTERPRISES OF NC, INC. and  
RTP INSURANCE OF DURHAM, NC,

Defendants.

---

BUTZEL LONG

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Michael G. Latiff (P51263)  
Katherine Donohue Goudie (P62806)  
150 West Jefferson, Suite 100  
Detroit, MI 48226-4450  
(313) 225-7000  
Attorneys for Plaintiff

Keith Bishop, Esq. (N.C. Bar No. 18918)  
Madison Center, Suite 105  
1802 Martin Luther king, Jr. Parkway  
Durham, North Carolina 27707  
(919) 490-1855  
Attorney for Defendant ACG Enterprises of  
NC, Inc.

Mark A. Haywood, Esq. (P49366)  
1274 Library St., Suite 303  
Detroit, MI 48226  
(313) 967-9322  
Co-counsel for Defendant ACG Enterprises  
of NC, Inc.

---

DYKEMA GOSSETT PLLC

Thomas J. Murray (P56331)  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304-5086  
(248) 203-0806  
Attorney for Defendant Hartford  
Underwriters Insurance Company

John Edward Gilchrist, pro se  
3325 Chapel Hill Blvd., Suite 145  
Durham, NC 27707  
(919) 401-6556  
Defendant RTP Insurance of Durham, NC

**PRESERVATION ORDER**

At a session of said Court held in the United States District Court, Eastern District of Michigan, in the City of Detroit, Michigan on \_\_\_\_\_.

PRESENT: **HONORABLE ROBERT H. CLELAND**  
United States District Court Judge

The Court having reviewed the stipulation of the parties, and the Court being otherwise duly advised in the premises;

IT IS HEREBY ORDERED that Plaintiff PML North America, LLC and Defendants Hartford Underwriters Insurance Company, ACG Enterprises of NC, Inc., and RTP Insurance of Durham, NC (collectively referred to as "Defendants"), including any of their present and former agents, employees, representatives, and custodians of record, not destroy, conceal, or alter any evidence which relates to the claims made in this case, including, but not limited to, hard copies, electronic files, word processing documents, spreadsheets, databases, calendars, telephone logs, contact information, Internet usage files, offline storage or information stored on removable media, information contained on laptops or other portable devices, network access information, phone logs, fax logs, electronic mail, fax cover sheets, and other electronic storage media.

IT IS FURTHER ORDERED that Plaintiff and Defendants preserve all existing electronic copies of a document even if Plaintiff and Defendants also have in their possession or have already produced a paper copy of the document.

IT IS FURTHER ORDERED that Plaintiff and Defendants preserve all equipment where electronic data may reside including, but not limited to, office and home computers, office and home fax machines, palm pilots, laptops, and cellular phones.

IT IS FURTHER ORDERED that by stipulating to the entry of this Preservation Order, Plaintiff and Defendants do not waive their right to assert the attorney work product and attorney-client privileges, and any other applicable privilege under the law.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States District Court Judge

\*\*\* TX STATUS REPORT \*\*\*

AS OF OCT 21 2005 09:29 PAGE 01

BUTZEL LONG

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
01	10/21 09:27	919198829179-1430	EC--S	02'18"	008	005	OK



Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

---

## Fax Cover Sheet

---

Please deliver the following pages to:

Name: James Edward Gilchrist  
 Firm: RTP Insurance Company  
 City & State: Durham, NC  
 Fax Number: 919-882-9179  
 File Reference: 132989-1

From:

Name: Katherine Donohue Goudie  
 Date: October 21, 2005 Time: 9:21 AM

 Please Confirm TransmissionContact Phone No 313-983-6962

Message:

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Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

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City & State: Durham, NC

Fax Number: 919-882-9179

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Office Services: (313) 983-7414

\*\*\* TX STATUS REPORT \*\*\*

AS OF OCT 20 2005 16:25 PAGE.01

BUTZEL LONG

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
26	10/20 16:23	313 967 9323	EC-S	01'51"	008	246	OK



Suite 100  
 150 West Jefferson  
 Detroit, MI 48226-4415  
 (313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

Please deliver the following pages to:

Name: Mark Haywood, Esq.

Firm: \_\_\_\_\_

City & State: Detroit, MIFax Number: 967-9323File Reference: 000132989-1

From:

Name: Katherine Donohue GoudieDate: October 20, 2005 Time: 3:39 PM Please Confirm TransmissionContact Phone No 983-6962

Message:

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Please deliver the following pages to:

Name: Mark Haywood, Esq.  
Firm: \_\_\_\_\_  
City & State: Detroit, MI  
Fax Number: 967-9323  
File Reference: 000132989-1

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AS OF OCT 20 2005 16:22 PAGE.01

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	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	JOB#	STATUS
25	10/20	16:20	Dykema Gossett	EC-S	02'35"	008	245	OK



Suite 100  
150 West Jefferson  
Detroit, MI 48226-4415  
(313) 225-7000

Fax: (313) 225-7080

## Fax Cover Sheet

Please deliver the following pages to:

Name: Thomas J. Murray, Esq.

Firm: Dykema Gossett LLC

City &amp; State: Bloomfield Hills, MI

Fax Number: 248-203-0763

File Reference: 132989-1

From:

Name: Katherine Donohue Goudie

Date: October 20, 2005 Time: 1:29 PM

 Please Confirm Transmission

Contact Phone No 313-225-7000

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 City & State: Bloomfield Hills, MI  
 Fax Number: 248-203-0763  
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 Date: October 20, 2005 Time: 1:29 PM

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